

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:	Colombo et al.	:	Confirmation No.: 2887
APPLICATION NO.:	10/714,166	:	Examiner: E. Peselev
FILING DATE:	November 14, 2003	:	Group Art Unit: 1623
TITLE:	DALBAVANCIN COMPOSITIONS FOR TREATMENT OF BACTERIAL INFECTIONS	:	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE UNDER 37 C.F.R. § 1.114

In response to a Notice of Improper Request for Continued Examination mailed on December 10, 2007 (Notice) and in response to the final office action mailed on July 13, 2007, Applicants respectfully request consideration of the following amendments and remarks intended to place the subject application into form for allowance. A shortened statutory period for responding to the July 13, 2007 office action was set to expire three (3) months from the mailing date of the office action, i.e., October 13, 2007. On October 30, 2007 Applicants filed a Request for Continued Examination (RCE) together with a Petition for Extension of Time Pursuant to 37 C.F.R. § 1.136(a) to extend the time for responding to the final office action by one (1) month such that it expired on November 13, 2007. However, the Notice indicated that the RCE filed on October 13, 2007 was improper, because it was not accompanied by a submission as required by 37 C.F.R. § 1.114. The Notice also indicated that the time period for responding to the final office action continues to run from the mailing date of the final office action, i.e., July 13, 2007. Accordingly, included herewith is an amendment which meets the reply requirements under 37 C.F.R. § 1.111 and 37 C.F.R. § 1.114. Also included herewith is a copy of the Notice and a Petition for Extension of Time Pursuant to 37 C.F.R. § 1.136(a) to extend the time for response by three (3) months such that it expires on January 13, 2008.

Amendments to the claims begin on page 2 of this paper.

Remarks/arguments begin on page 5 of this paper.

Please amend the above-identified application as provided below.